

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

IT IS HEREBY ORDERED THAT:

1. Videoconferencing Solutions. Remote witnesses may testify remotely by video as set forth herein. Counsel shall participate in appropriate pre-trial technology testing no later than **June 20, 2022** and as may be required by further order of the Court.

2. Pre-Trial Submissions. The parties shall file lists of in-person and remote witnesses, exhibit lists, and any pre-trial briefs on ECF by **June 3, 2022**.

3. Direct Examination. Direct examination shall occur by affidavit. Cross-examination, re-direct examination, and re-cross examination shall occur in-person or via videoconferencing.

4. Submission of Exhibits for Cross-Examination. The party cross-examining a witness shall prepare a binder containing all exhibits that the cross-examining party intends for the cross-examinee to view during cross-examination. By no later than **June 15, 2022**, the cross-examining party shall provide (1) two copies of the binder to opposing counsel and (2) one copy of the binder, along with a thumb drive containing electronic versions of the documents in the binder, to the Court.

The counsel presenting the direct testimony from the cross-examinee shall then provide one copy of the binder to the cross-examinee in advance of their anticipated testimony by **June 22, 2022**. The binders shall be securely sealed and shall, on their exteriors, clearly instruct the cross-examinee and their counsel not to open the binders until directed to do so.


5. Remote Testimony. Remote witnesses shall be sworn in over remote means, and their testimony will have the same effect and be binding in the same manner as if they were sworn in by the Courtroom Deputy in person in open court at the courthouse. Counsel shall be responsible for ensuring that the remote technology and all exhibits from all parties are supplied to the remote witnesses in hard copy prior to trial. When called to testify, the remote witnesses shall situate

themselves in such a manner as to be able to view the video screen and be seen by the Court. During remote witnesses' testimony, no person may be present in the room from where they are testifying and they may not access or otherwise have within sight or reach any documents except the cross-examination binder.

6. Courtroom Formalities. The trial constitutes a court proceeding and any recording other than the official court version is prohibited. No party may record images or sounds from any location. The formalities of a courtroom must be observed.

SO ORDERED.

Dated: March 14, 2022
New York, New York



JOHN P. CRONAN
United States District Judge